



Legislation Details (With Text)

**File #:** 12-0382      **Version:** 5      **Name:** Towing Services, City Owned Vehicles, Heavy Duty  
**Type:** Resolution      **Status:** Adopted  
**File created:** 2/8/2012      **In control:** Administration  
**On agenda:** 6/7/2012      **Final action:** 7/3/2012

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract(s)  
Purpose: Towing Services, City-owned Vehicles, Heavy Duty  
Entity Name(s)/Address(s): B & C Towing, Inc., 527 Avenue P, Newark, NJ 07105  
Contract Amount: Not to exceed \$150,000.00  
Funding Source: City of Newark Budget/Department of Engineering, Division of Motors/Open-Ended  
Contract Period: To be established for a term not to exceed two (2) years  
Contract Basis: (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
Additional Information:  
Bids Solicited: Twelve (12)  
Bids Received: Three (3)  
Bids Re-solicited: Twelve (12)  
Bids Received: Four (4)  
Bids Rejected: Two (2)  
Failed 7R1-I 032112  
Failed 7R1-e 040412  
Invitation: Central Purchasing Agent, April 17, 2012  
Failed 7R1-b 041812  
Invitation: Purchasing Agent, June 6, 2012  
Failed 7R1-h 060712  
Failed 7R1-d 062012

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
7/3/2012	5	Municipal Council	Adopt	Fail
6/20/2012	5	Municipal Council	Adopt	Fail
6/7/2012	4	Municipal Council	Adopt	Fail
4/18/2012	3	Municipal Council	Adopt	Fail
4/18/2012	4	Municipal Council	Removed from agenda	
4/4/2012	2	Municipal Council	Adopt	Fail
3/21/2012	1	Municipal Council	Adopt	Fail

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WHEREAS, on April 20, 2010, the City of Newark through its Purchasing Director, advertised to solicit bids for Towing Services, City-owned Vehicles, Heavy Duty, for the Department of Engineering, Division of Motors; and

WHEREAS, the Division of Central Purchasing distributed twelve (12) bid packages in response to prospective vendors following the date of advertisement; and

WHEREAS, on May 6, 2010, three (3) bids were received in response to this advertisement; and

WHEREAS, all bids received failed to meet bid specification requirements; and

WHEREAS, the City did not award a contract or reject all bids within 60 days pursuant to N.J.S.A.40A:11-24; and

WHEREAS, the City revised the bid specifications; and

WHEREAS, on May 10, 2011, the City of Newark through its Purchasing Director, re-advertised to solicit bids for Towing Services, City-Owned Vehicles/Heavy Duty, for the Department of Engineering, Division of Motors, as per the revised bid proposal attached hereto; and

WHEREAS, the Division of Central Purchasing distributed twelve (12) bid packages in response to prospective vendors following the date of re-advertisement; and

WHEREAS, on May 26, 2011, four (4) bids were received in response to this re-advertisement; and

WHEREAS, two (2) bids were rejected due to non-compliance with bid specification requirements; and

WHEREAS, the Department of Engineering, Division of Motors, reviewed the bids and recommended an award be made to the lowest responsive and responsible bidder, B&C Towing Inc.; and

WHEREAS, the Purchasing Director reviewed the bids and concurs with the recommendation; and

WHEREAS, pursuant to N.J.S.A. 40A:11-24, the vendor agreed to hold their prices beyond 60 days; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., solicitation through public bidding in accordance with N.J.S.A. 40A:11-1 et seq., meets the requirements of the fair and open process.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Mayor and/or his designee, the Purchasing Director, are hereby authorized to enter into a contract with B&C Towing, Inc., 527 Avenue P, Newark, NJ 07105, to provide Towing Services, City-owned Vehicles/Heavy Duty, to the City, whose bid was received on the re-advertised due date and determined to be the lowest responsive and responsible bidder, in accordance with bid specifications. The term of the contract will be established for a two (2) year term; pursuant to N.J.S.A.40A:11-3 (b).
2. There shall be no amendment or change of this contract without the approval of the Municipal Council.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2012 and subsequent years are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(d) 2.
4. This is an open-ended contract to be used as needed during the term of the contract. Thus, any and all expenditures against this contract, certification of the availability of sufficient funds as required by N.J.A.C. 5:30-5.5(b) 2 shall be incurred each time an order is placed covering the amount of the service. This contract shall not exceed \$150,000.00 for a two (2) year term.
5. The Purchasing Director shall forthwith file a duly executed copy of this contract in the Office of the City Clerk.
6. If required by State Law, the City Clerk shall provide the appropriate notice of the award of this contract to the State Comptroller no later than 20 business days following such award, in accordance with N.J.S.A. 52:15C-10 and the Notice of the Office of the State Comptroller dated May 7, 2008.

#### STATEMENT

Resolution authorizing the Mayor and/or his designee, the Purchasing Director, are hereby authorized to enter into a contract with B&C Towing, Inc., 527 Avenue P, Newark, NJ 07105, to provide Towing Services, City-owned Vehicles/Heavy Duty, to the City, at a cost not to exceed \$150,000.00 for a two (2) year term.